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6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 TISSUE REGENERATION
10 TECHNOLOGIES, LLC and GENERAL
PATENT, LLC,

11 Plaintiffs,

12 v.

13 MALE PERFORMANCE MEDICAL
14 PARTNERSHIP, LLC; MEDICAL
15 PARTNERSHIP, LLC; R. BAXTER
16 TEEGARDEN; LEONARD MESSINA;
17 RICHARD NEISWONGER a/k/a RICK
18 CHARLES; LAS VEGAS MALE
PERFORMANCE CLINIC; and PEAK
HEALTH GROUP LV LLC,

19 Defendants.

Case No.: 2:18-cv-1914

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO ANSWER
OR OTHERWISE RESPOND TO THE
COMPLAINT**

(Fourth Request)

20 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 1A 6-1, Plaintiffs
21 Tissue Regeneration Technologies, LLC and General Patent, LLC, (collectively, "Plaintiffs") and
22 Defendants Male Performance Medical Partnership, LLC, Medical Partnership, LLC, Leonard
23 Messina, and Las Vegas Male Performance Clinic (collectively, the "Messina Defendants"), by
24 and through their respective counsel of record, Weide & Miller, Ltd., on behalf of Plaintiffs, and
25 the Law Offices of Philip A. Kantor, P.C., newly retained and appearing on behalf of the Messina
26 Defendants, hereby agree and stipulate for an extension of time for the Messina Defendants to file
27 and serve their answer or other responses to the Complaint from the current deadline of March
28 15, 2019, up to and including March 29, 2019. This is fourth request by the Messina Defendants

1 for such an extension.

2 Good cause for this request exists to provide the newly retained counsel for the Messina
3 Defendants time to investigate the facts and assess the potential for settlement of this case, given
4 the recent termination of the Messina Defendants' former counsel. On December 19, 2018,
5 former counsel for the Messina Defendants notified the Court that they had been terminated and
6 moved to withdraw as counsel. *See* ECF No. 17 (Howard & Howard Attorneys PLLC and
7 Jonathan W. Fountain's Motion to Withdraw as Counsel).

8 On or about January 3, 2019, the undersigned counsel for the Messina Defendants agreed
9 to be retained on the representations of the undersigned counsel for Plaintiffs that Plaintiffs would
10 agree to the prior order to permit the newly retained counsel for the Messina Defendants time to
11 assess the case before having to respond to the Complaint. Subsequent to that extension, the
12 undersigned counsel for the Messina Defendants has made such an assessment and has
13 commenced discussions with Plaintiff's counsel to explore the potential to resolve the matter. As
14 further discussion requires Plaintiff's counsel to engage in discussions with subject matter experts
15 on issues related to the patents extending the time required for Plaintiff's counsel to respond, the
16 Parties have agreed to the instant stipulation to accommodate such discussions.

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1 For the foregoing reasons, the parties hereby stipulate to extend the deadline for the
2 Messina Defendants to answer or otherwise respond to the Complaint from March 15, 2019, to
3 March 29, 2019. Service of this Stipulation is also being made on the Messina Defendants'
4 counsel of record, Howard & Howard, PLLC.

5 **IT IS SO AGREED AND STIPULATED:**

6 **WEIDE & MILLER, LTD.**

7 By: /s/ F. Christopher Austin
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LAW OFFICES OF PHILIP A. KANTOR, P.C.

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13 **IT IS SO ORDERED:**

14 
15 UNITED STATES MAGISTRATE JUDGE

16 DATED: March 7, 2019